

Applicant or Patentee: MARK R. FORTE Attorney's  
Serial or Patent No.: UNASSIGNED Docket No.: 681-1-013  
Filed or Issued: CONCURRENTLY HERewith  
For: TOTAL KNEE PROSTHESIS WITH RESURFACING AND POSTERIOR STABILIZATION CAPABILITY



VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR

I, the undersigned inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled TOTAL KNEE PROSTHESIS WITH RESURFACING AND POSTERIOR STABILIZATION CAPABILITY

- ☒ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern, or organization  
☐ persons, concerns or organizations listed below\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

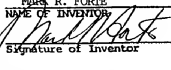
FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

MARK R. FORTE  
NAME OF INVENTOR NAME OF INVENTOR NAME OF INVENTOR  
 Signature of Inventor Signature of Inventor Signature of Inventor  
Date Date Date  
Mar. 17, 1995

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As below named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below under my name.

I believe that I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

**TOTAL KNEE PROSTHESIS WITH RESURFACING AND  
POSTERIOR STABILIZATION CAPABILITY**

the Specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified Specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

<u>APPLICATION</u> <u>NUMBER</u>	<u>PRIOR FILED APPLICATION(S)</u> <u>COUNTRY (DAY/MONTH/YEAR FILED)</u>	<u>PRIORITY</u> <u>CLAIMED</u>
NONE		

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in any prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a), which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>APPLICATION</u> <u>NO.</u>	<u>FILING DATE</u> <u>(DAY/MONTH/YEAR)</u>	<u>STATUS - PATENTED, PENDING,</u> <u>ABANDONED</u>
07/673,790	MARCH 22, 1991	PENDING

I hereby appoint Stefan J. Klauber, Registration No. 22,604; David A. Jackson (Registration No. 26,742); Barbara L. Renda (Registration No. 27,626); and Richard C. Billups (Registration No. 31,916) my attorneys with full power of substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Please address all correspondence regarding this application to:

KLAUBER & JACKSON  
411 HACKENSACK AVENUE  
HACKENSACK, NEW JERSEY 07601

Direct all telephone calls to David A. Jackson at (201) 487-5800.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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FULL NAME OF INVENTOR: MARK R. FORTE  
RESIDENCE: 11 Oak Lane, Pine Brook, New Jersey 07058 *MS*  
COUNTRY OF CITIZENSHIP: USA  
POST OFFICE ADDRESS: Same

SIGNATURE OF INVENTOR *Mark R. Forte*

DATE *Mar. 12, 1992.*